



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fumio ABE et al.

Serial No.: 08/067,275

Filed: May 26, 1993

For: HEATER AND CATALYTIC CONVERTER

Group Art Unit: 1801

Examiner: Dees, C.

REQUEST FOR RECONSIDERATION

Honorable Commissioner of Patents
and Trademarks
Washington, D. C. 20231

Sir:

In response to the Office Action mailed April 13, 1994, reconsideration and withdrawal of the rejections therein are respectfully requested for the following reasons.

1. Claims 1, 6, 9 and 10 were rejected under § 112, second paragraph. This rejection is respectfully traversed for the following reasons.

Applicants respectfully submit that recitation of the phrase "a heat-resistant oxide" in the present claims complies with § 112, second paragraph. Specifically, applicants submit that the phrase is definite, and that the artisan practicing in the area of adsorbents utilized in catalytic converters fully understands which oxide materials are heat-resistant oxides. Indeed, the present specification (page 11, lines 24-32) provides specific compositions for heat-resistant oxides, including alumina, titania, zirconia and

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silica. Additionally, the term "heat-resistant oxides" is contained in the claims of U.S. Patent No. 5,164,350, commonly owned by the assignee of the present application. The attention of the Examiner is also drawn to the claims of U.S. Patent Nos. 3,912,959, 4,314,007 and 5,296,198.

For at least the foregoing reasons, applicants respectfully request reconsideration and withdrawal of the § 112 rejection.

2. Claims 1-6, 9 and 10 were rejected under § 102(a) over Adiego et al.

The present application is a continuation of U.S. 07/765,059, filed September 24, 1991, which claims priority from Japanese Patent Application Nos. 305430 and 305431, filed November 9, 1990 in Japan. Verified English-language translations of those priority documents are attached hereto. Applicants submit that the present claims are fully supported by the '059 parent application and the priority documents. Accordingly, applicants benefit from the priority date of November 9, 1990, thus antedating Adiego et al. which has an effective date of May 20, 1991. Thus, withdrawal of the § 102(a) rejection over Adiego et al. is respectfully requested.

Applicants respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to telephone applicants' undersigned representative at the number listed below.

Respectfully submitted,

Date: 6/9/94

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Attachments:

Verified English-Language
Translations of Priority Documents (2)